

step-father Ron Peters of Tampa; and sister Samantha. He is also survived by his grandparents Jeannette Dufresne of New Port Richey, Robert and Fay Pruitt of Inverness, and many other friends and family members.

In honor of his memory, the Indian River Community College established the "Kenneth P. Pruitt, Jr. Scholarship" in order to provide assistance to students wishing to follow in Kenneth's footsteps and make a career in the field of computer technology. In this way, the spirit of this bright and talented young man will carry on to inspire others.

PERSONAL EXPLANATION

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. SULLIVAN. Madam Speaker, I rise to state for the RECORD that I intended to vote "aye" on rollcall vote 859 taken on September 6, 2007 supporting passage of H.R. 2786, the Native American Housing Assistance and Self-Determination Reauthorization Act.

HONORING THE ASHEVILLE DIVISION U.S. NAVAL SEA CADETS

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. SHULER. Madam Speaker, I rise today to recognize the hard work and dedication of the cadets and volunteers of the Asheville Division U.S. Naval Sea Cadets. The U.S. Naval Sea Cadet Corps program is a federally chartered youth training organization for students ages eleven to seventeen that is designed to educate young people about service in the Navy and Coast Guard both ashore and afloat.

The Asheville Division provides the young people of Western North Carolina with unparalleled opportunities to learn new skills and experience new challenges in a safe, alcohol and drug free environment. Some Cadets choose to continue to serve their country through military service, while many others go on to pursue civilian careers. Regardless of their future path, cadets benefit from the lessons learned in the program—good citizenship, self-discipline, a sense of responsibility, and leadership skills.

I would also like to take this opportunity to congratulate Katelyn Kassel for reaching the rank of Chief Petty Officer, the highest rank a cadet can achieve while participating in the U.S. Naval Sea Cadet Corps Program. CPO Kassel is the first in the history of the Asheville Division to reach this honor. She is currently enrolled at the University of North Carolina at Charlotte where she is participating in the Army ROTC program and studying as a pre-law student.

I am extremely proud of CPO Kassel for her hard work and dedication to this program. She was a wonderful asset to the program at her high school and serves as an excellent role model to other students. I have no doubt that CPO Kassel will serve our country well in the U.S. military.

I commend each of the cadets for their service in this important program, as well as the volunteers who keep this program going, especially Commanding Officer LTJG Heath Collins and Executive Officer R. Scott Lunsford. I ask each of my colleagues to join me in congratulating the cadets and volunteers of the U.S. Naval Sea Cadets in Asheville and throughout the United States.

PAYING TRIBUTE TO CHRISTINE C. SCHULZE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Christine C. Schulze who passed away on July 19, 2007.

Christine was born May 14, 1915, in Ladysmith, Wisconsin. She was educated in southern Wisconsin and was employed by the U.S. Naval Training Station in Waukegan, Illinois during World War II. After the war she worked for Needham, Louis and Brorby Advertising Agency in Chicago. Christine then owned and operated a ladies' dress shop in Burbank, California before retiring with her husband, Werner in 1979 to Las Vegas, Nevada.

In addition to her professional endeavors, Christine also became interested in aviation. This interest evolved into a philanthropic project which provided an educational scholarship fund for students pursuing careers in aviation. In 2002, she established a scholarship fund for Rancho High School's Aviation Academy. Since its inception, the scholarship has provided over 500 student pilots with funding. In recognition of her philanthropic support to the students at Rancho High School, the school dedicated the Christine C. Schulze Aerospace Laboratory in her honor because of her generous donations to aviation and flight scholarships.

In a personal capacity, Christine was extremely active and dedicated to her community. She was a member of the Eastern Star, President of the Zonta Club, President of the Board of Retired Senior Volunteer Program, and established the Senior Auxiliary Board of the Retired Senior Volunteers of Henderson. She was active in the Republican Women of Henderson, Eta Chapter of Beta Sigma Phi, and Safe House of Henderson, to which she donated the first beds and linens for the facility. She also donated her time and efforts to St. Jude's Ranch for Children, in Boulder City, Nevada. Christine was a long-time Episcopalian and was a member of Christ Episcopal Church in Las Vegas and was influential in the development of the Christ Church Endowment Fund.

Madam Speaker, I am proud to honor the life and legacy of Christine C. Schulze. Her dedication to the community and philanthropic devotion to students should serve as an example to us all. I applaud all her efforts.

TAIWAN

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, I rise today to express my disappointment with the United Nation's rejection of Taiwan's membership bid. More than 14 times, the U.N. has denied Taiwan's application. It is unclear to me why this sovereign state, with a democratically elected government, should be refused entry into the international institution of the United Nations. I have heard the argument that granting Taiwan U.N. membership would upset the status quo Taiwan has with China. But, Madam Speaker, such arguments are weak. I suspect the real reason for the denial of Taiwan's recognition in the U.N. is the U.N.'s fear of upsetting the status quo the U.N. has with China's communist regime. It is outrageous to deny Taiwan's 23 million citizens representation in what should be a fair international organization. I am dismayed by the U.N.'s decision. Madam Speaker, but frankly, I am not surprised by it. It is obvious to me that the problem does not lie with Taiwan; rather, it lies with an incompetent, corrupt, and dictator-appeasing U.N.

PROTECT AMERICA ACT OF 2007

SPEECH OF

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, August 4, 2007

Mr. MOORE of Kansas. Mr. Speaker, I rise today to express my disappointment regarding the House of Representatives' approval of S. 1927, legislation greatly expanding the Bush Administration's eavesdropping authority beyond even what Administration officials requested. I urge the House Judiciary Committee to promptly consider and report improved legislation that will provide the necessary surveillance authority our intelligence services need to protect our nation, while protecting our citizens' most basic expectation of privacy and fundamental civil liberties that are guaranteed by our constitution. Specifically, the Fourth Amendment to the U.S. Constitution states plainly: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

I have been a longstanding supporter of efforts to provide our intelligence and law enforcement agencies with all the necessary tools they need to monitor potential agents with terrorist intentions against the United States. Following the awful terrorist attacks of September 11, 2001, on our country, I joined 356 of my House colleagues to vote for the USA PATRIOT Act of 2001 (P.L. 107-56). The legislation gave federal officials greater authority to track and intercept communications, both for law enforcement and foreign intelligence

gathering purposes. Among other additional provisions, the law also created new crimes, new penalties, and new procedural efficiencies for use against domestic and international terrorists.

The law contained, however, provisions that allowed for enhanced surveillance procedures that many citizens were concerned restricted civil liberties. I subsequently supported several amendments to various appropriations measures that would have improved civil liberties protections, namely: (1) Rep. BERNIE SANDERS' amendment to fiscal year 2006 Science, State, Justice and Commerce Appropriations Act which would have exempted libraries and bookstores from section 215 of the PATRIOT Act while increasing congressional oversight; and (2) Rep. Butch Otter's amendment to a fiscal year 2004 appropriations measure that would have prevented the use of section 213 of the PATRIOT Act that extended so-called "sneak and peek" authority to local police that previously was made available only to foreign intelligence investigators. Previously, police had to "knock and announce" their intention of searching before executing any warrant. Even though the Sanders amendment passed the House by a vote of 238–187, and the Otter amendment passed by a vote of 309–118, they both were unfortunately pulled from their respective appropriations measures before they were signed into law by the President.

Several sections of the PATRIOT Act were set to expire on December 31, 2005, unless they were extended. These "sunset provisions" included wiretapping privileges, sharing wiretap and foreign intelligence information, FISA authority and jurisdiction, voicemail warrants, and various other powers. On July 21, 2005, the House approved H.R. 3199 by a vote of 257–171. This legislation would have made permanent 14 of the 16 provisions that were set to expire in 2005. The remaining two provisions, involving the government's ability to use roving wiretaps and the government's access to business and library records, were assigned 10-year sunsets, at which point they will either be renewed or will expire. While the majority of the sections remained unchanged, during consideration of this legislation, the House adopted a few measures that would help protect government abuses of civil liberties. Among these were amendments that would require the Director of the FBI to personally review any and all requests for library or bookstore records under Section 215 of the PATRIOT Act, as well as an amendment that would allow the recipient of a national security letter (NSL) to consult with an attorney and challenge the issuance of the letter in court. I voted for both of these amendments. I voted against H.R. 3199, however, because I didn't believe it was a good idea to make permanent policy for the United States concerning our fundamental rights and freedoms during extraordinary times of war. We must never allow terrorists to alter the freedoms that define our country and make us the greatest nation in the world.

On July 29, 2005, the Senate approved legislation that would also make permanent 14 of the 16 provisions set to expire in 2005; however, it would have placed 4-year sunsets on the two remaining provisions and would have placed additional checks on government power that would help ensure the preservation of our valuable civil liberties. These two pieces of legislation were sent to a House-Senate

conference committee to resolve their differences; In December 2005, a new agreement was reached in conference proposing 4-year expiration dates for the two provisions involving the government's ability to use roving wiretaps and the government's access to business and library records, as well as a 4-year sunset to a provision in the 2004 intelligence overhaul law (P.L. 108–458) that allows law enforcement to seek warrants against "lone wolf" terrorists not connected to foreign powers. On December 14, 2005, the House agreed to the conference report by a vote of 251–174. I voted for the final version of the legislation because I was satisfied with the shorter expirations on some of the more contentious provisions and I was concerned about the possible effect on our national security if these provisions of the PATRIOT Act were allowed to expire.

After being approved in the House, however, several members of the Senate remained concerned about the government's ability to acquire records and obtain administrative search warrants. Several Senators later announced an agreement they had reached with the White House, to make three changes to the previously agreed-to conference report relating to the government seizure of records. Specifically, these changes: (1) Allow recipients of a business records request to challenge a gag order, although to overturn it they would have to wait one year and prove the government acted in "bad faith"; (2) remove a requirement that recipients of national security letters, which do not require court approval, disclose the name of any attorney they consult or intend to consult; and (3) clarify language in the 2001 law to ensure that libraries operating in traditional roles and not as Internet service providers would not be subject to national security letters. The House later agreed to these amendments by a vote of 280–138, which I supported. On March 9, 2006, President Bush signed the final version of H.R. 3199 (P.L. 109–177) and the S. 2271 amendments (P.L. 109–178) into law.

In order to effectively fight the war on terror we need intelligence, but this intelligence should be gathered in a legal manner and consistent with our constitution. Traditionally, the NSA's intelligence-gathering role has been limited to intercepting international communications as part of the government's foreign spying activities. Under the 1978 Foreign Intelligence Surveillance Act (FISA, P.L. 95–511), the federal government is required to obtain a warrant to conduct domestic wiretaps, but the NSA program disclosed by President Bush and his administration appears to have operated outside the FISA law.

In the 109th Congress, Rep. HEATHER WILSON introduced H.R. 5825, the Electronic Surveillance Modernization Act. This legislation would have given the President expanded authority to authorize electronic surveillance of communications by suspected terrorists without first obtaining approval from the FISA court. Specifically, it allowed the President to authorize warrantless electronic surveillance for up to 90 days in three circumstances—an armed attack against the United States, a terrorist attack against the United States, or if there is an "imminent threat" that is likely to cause death or widespread harm. The measure also would have extended the amount of time intelligence agencies can conduct warrantless electronic surveillance in "emer-

gency situations" to seven days, from the current three-day limit.

The FISA law then contained certain exceptions for intelligence operations on U.S. soil—it permitted the president to authorize the Justice Department to conduct electronic surveillance or physical searches without approval by the FISA court to gather foreign intelligence for up to 15 days after Congress enacted a declaration of war. In addition, it allowed the federal government to conduct electronic surveillance without the court's approval in "emergency situations," provided that the government seeks approval from the FISA court within three days of initiating emergency surveillance.

The Electronic Surveillance Modernization Act, however, represented a significant departure from the protections put in place under FISA in 1978. Nowhere in the Foreign Intelligence Surveillance Act does it state that the president can bypass the process of seeking a court order to spy on American citizens through an executive order. I was concerned that this legislation was a political attempt to retroactively justify the President breaking the law. I fully believe that if the President followed the law and approached the FISA court and Congress for approval of such programs, that Congress and the FISA court would gladly give the President the powers he needs to combat terrorism. For these reasons, I voted against H.R. 5825 when it was brought to the House floor for a vote on September 28, 2006. This legislation was approved in the House by a vote of 232–191, but did not receive a vote in the Senate, effectively killing the legislation in the last Congress.

Attorney General Alberto Gonzales announced on January 17, 2007, that the FISA court authorized and issued orders on January 10, 2007, granting wiretaps that the Administration requested. Subsequently, the Justice Department has shared those classified documents with the House and Senate Intelligence Committees, as well as the Chairmen and Ranking Members of the House and Senate Judiciary Committees.

The U.S. Department of Justice's Office of the Inspector General released a 126-page audit report on March 9, 2007, entitled "A Review of the Federal Bureau of Investigation's Use of National Security Letters." In this report, it was revealed that FBI agents were using national security letters to obtain personal information such as phone, internet, and financial records of individuals without court orders. The audit also found that 22 percent of these letters were not recorded and of those that were recorded, some were issued without proper authority. Senators ARLEN SPECTER and PATRICK LEAHY have voiced concern over the findings of this report. I am deeply troubled by this report and strongly believe vital intelligence should be gathered in a manner that is fully consistent with our laws and constitution.

The congressional leadership spent many months in 2007 negotiating a reauthorization of the FISA law with the Bush Administration and Admiral Michael McConnell, Director of National Intelligence (DNI). Both Democrats and Republicans agree that we need to update the FISA law to incorporate new technologies, such as cell phones and e-mail, which did not exist when the original FISA law was written. Prior to the August District Work Period, the Bush Administration pressed the

congressional leadership to pass a short-term FISA update. During negotiations, Director McConnell told the congressional leadership that he supported several technical changes that: (1) allowed foreign targets to be added a "basket warrant" after the warrant was approved; (2) expanded the draft bill to apply to "all foreign intelligence" from only intelligence "relating to terrorism"; and (3) eliminated the requirement that the FISA court adjudicate how recurring communications into the United States from foreign targets would be handled. Following these improvements to the draft bill, the DNI told congressional leadership that with these changes, he could support the bill because it would "significantly enhance America's security." I voted for the final version of this legislation, H.R. 3356, the Improving Foreign Intelligence Surveillance to Defend the Nation and the Constitution Act of 2007. Even though a majority (218–207) voted in favor of H.R. 3356, the bill did not pass as it was considered under suspension of the rules (2/3 vote to approve required).

The Senate passed a much different version of FISA legislation, S. 1927, the Protect America Act sponsored by Senators MITCH MCCONNELL and KIT BOND. This legislation greatly exceeds what the Bush Administration requested in legislation, providing a virtual blank check for intelligence agencies to eavesdrop, including on the conversations of U.S. citizens, with essentially no oversight by the FISA court or Congress. The legislation allows the U.S. Attorney General to decide when to eavesdrop on any e-mail message or phone call without a warrant, so long as one of the people communicating is "reasonably believed" to be outside the country. That is a vague term that the Administration is allowed to interpret however they want, greatly expanding its surveillance powers, while the legislation does not provide the courts with any real power to supervise this surveillance. Proponents of S. 1927 point out that the legislation has a six month sunset and will expire in February 2009. This sunset is artificial, as the orders in effect in February 2009 could last for up to a year, essentially for the remainder of the Bush Administration with no oversight. For these reasons, I voted against S. 1927 when the House considered the measure on August 4, 2007. The House approved the legislation by a vote of 227–183, and the President signed it into law on August 5, 2007 (P.L. 110–55).

Speaker NANCY PELOSI wrote a letter to Judiciary Chairman JOHN CONYERS and Select Intelligence Chairman SILVESTRE REYES on August 4, 2007, urging that the House of Representatives should consider comprehensive FISA reauthorization legislation. I agree with her statement that: "Many provisions of this legislation are unacceptable, and although the bill has a six-month sunset clause, I do not believe the American people will want to wait that long before corrective action is taken."

As a co-equal branch of government, it is necessary that Congress fully understand how the Bush Administration executes intelligence activities in order to exercise proper oversight. I look forward to working with my colleagues in Congress to ensure that law enforcement agencies have strong, flexible tools to intercept the communications of terrorists, and at the same time protect our citizens' civil liberties from unwarranted government probing.

PAYING TRIBUTE TO FRED C. ALBRECHT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. PORTER. Madam Speaker, I rise today to honor Fred C. Albrecht, who has honorably served the University of Nevada, Las Vegas for 38 years.

In his 38 years of service AT UNLV Fred Albrecht spent 18 years in the athletics department as the assistant men's basketball coach, men's tennis coach, Executive Director of Athletic Fundraising, and served as the interim Athletic Director twice. He has also served as the Vice President for University and Community Relations for the past ten years in conjunction with serving as the Executive Director of Alumni Relations for 35 years.

Since being hired in 1973 as the University's first Alumni Director, Fred has made numerous significant contributions to the UNLV community. As the alumni and government relations lobbyist he raised \$3 million in 1989 to build the 23,000 square foot Richard Tam Alumni Center. He has also raised money to build the Alumni Park at the Sam Boyd Football Stadium, and the Alumni Amphitheater on campus.

Madam Speaker, I am proud to honor Fred Albrecht for his many outstanding achievements and congratulate him and his wife, Connie. His 38 year dedication to UNLV has been commendable, and he has greatly enriched the lives of countless people in the UNLV community.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. ANDREWS. Madam Speaker, I was with my daughter on her first day of school and was detained from voting on Thursday, September 6, 2007. Had I been present I would have voted "yea" on the following rollcall vote: roll No. 859.

Had I been present I would have voted "nay" on the following rollcall votes: roll No. 856, roll No. 857, and roll No. 858.

PAYING TRIBUTE TO RADM KENNETH P. MORITSUGU

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 7, 2007

Mr. PORTER. Madam Speaker, I rise today to honor RADM Kenneth P. Moritsugu, who has served as the Acting Surgeon General since 2006, and congratulate him upon his retirement. Prior to this appointment, he served as Deputy Surgeon General, the principal assistant and advisor to the Surgeon General, which he was appointed on October 1, 1998. He had been a career officer in the Commissioned Corps of the U.S. Public Health Service since 1968 and began his service as an Assistant Surgeon General beginning in 1988.

Dr. Moritsugu was born and raised in Honolulu, HI. He received his baccalaureate degree with honors in classical languages from the University of Hawaii in 1967, an M.D. from the George Washington University School of Medicine in 1971, and an M.P.H. in health administration and planning from the University of California, Berkeley, in 1975. Having completed residencies in internal medicine and in preventive medicine, Dr. Moritsugu is Board Certified in preventive medicine. He holds Fellowships in the American College of Preventive Medicine, the Royal Society of Health, and the Royal Society of Medicine. He is also a Certified Correctional Health Professional.

Throughout his career, Admiral Moritsugu has served in many diverse assignments including: Medical Officer on the U.S. Coast Guard cutter *Taney*; Chief of International Medical Education Programs; Director of the National Health Service Corps; and Medical Director of the U.S. Department of Justice's Federal Bureau of Prisons. Admiral Moritsugu has been the Federal representative to numerous national health care agencies and has been consultant to several international organizations and governments and served as the official U.S. representative to the 75th anniversary of the Pan American Health Board in Havana, Cuba.

Dr. Moritsugu has received numerous honors and awards, including the Surgeon General's Medallion, the Army Achievement Medal, and the Coast Guard Arctic Service Medal, among many others. He was deemed an Honorary Deputy United States Marshal by the U.S. Marshals Service, and received the Director's Special Achievement Award from the Federal Bureau of Investigation. In 2003, Rear Admiral Moritsugu was named Health Leader of the Year by the Commissioned Officers Association of the U.S. Public Health Service. He was awarded with the first William B. Miller Award from the American Association of Colleges of Osteopathic Medicine, a recipient of the John D. Chase Award from the Association of Military Surgeons of the United States and a Special Achievement Award from the National Commission on Correctional Health Care.

Admiral Moritsugu has received honorary doctor of science degrees from the University of New England, Midwestern University of Chicago, and the University of North Texas College of Osteopathic Medicine. In 1997, the American Academy of Physician Assistants deemed him an honorary Lifetime Member; additionally, in 2002, he has been granted honorary doctorates of humane letters from Alliant International University and from Western University of Health Sciences. As an educator, he is an adjunct professor at the George Washington University School, and an adjunct associate professor at the Uniformed Services University of Health Sciences. He has spoken and written extensively in many diverse areas, including health professions education, international health, HIV, and most recently bioterrorism.

In his official capacity, Admiral Moritsugu has been a dedicated advocate for organ and tissue donation and transportation. He has been an active participant in the Donor Family Recognition Programs in Washington, DC, as a key speaker at numerous local and national programs. In his private capacity, he has been a member of several boards of directors, including the Washington Regional Transplant